

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

DEVIN KILPATRICK, et al.,)	
)	7:03CV5017
Plaintiffs,)	
)	
vs.)	ORDER
)	
PAT KING, et al.,)	
)	
Defendants.)	

This matter is before the court following a planning conference with counsel on February 13, 2006.

IT IS ORDERED:

1. **Pretrial Disclosures.** Pursuant to Fed. R. Civ. P. 26(a)(3), each party shall provide to all other parties the following information regarding the evidence that it may present at trial other than solely for impeachment purposes as soon as practicable **but not later than the date specified:**

A. Deposition Testimony and Discovery - On or before August 18, 2006: 1) The portions of each deposition, designated by page and line, that it intends to offer and 2) each discovery response of another party it intends to offer. Such designations and any objections thereto shall also be included in the final pretrial conference order. **See** NECivR 16.2.

B. Trial Exhibits - On or before August 18, 2006: A list of all exhibits it expects to offer by providing a numbered listing and permitting examination of such exhibits. The parties shall also designate on the list those exhibits it may offer only if the need arises.

C. Waiver of Objections - Any objections to the use of witnesses, deposition designations, discovery responses, or exhibits shall be listed in the pretrial order. Failure to list objections (except those under Fed. R. Evid. 402

and 403) shall be deemed waived, unless excused by the court for good cause shown.

D. Filing of Disclosures - The filing of pretrial disclosures required by Fed. R. Civ. P. 26(a)(3) shall be deemed filed at the time of the filing of the Order on Final Pretrial Conference in this matter.

2. **Motions in Limine.** Any motions *in limine* shall be filed not later than **August 25, 2006**.

3. **The Final Pretrial Conference** with a magistrate judge is set for **September 5, 2006, at 12:30 p.m.** in chambers, Federal Building, 3rd Floor, 300 East 3rd Street, North Platte, Nebraska. The final pretrial conference shall be attended by lead counsel for represented parties. Counsel shall complete prior to the pretrial conference, all items as directed in NECivR 16.2. By the time of the pretrial conference, full preparation for trial shall have been made so that trial may begin at any time during the session indicated below.

4. **Trial** is set to commence **at 8:30 a.m. on October 23, 2006**, in North Platte, Nebraska, before the undersigned magistrate judge and a jury.

5. **Motions to Alter Dates.** All requests for changes of date settings shall be directed to the undersigned magistrate judge by appropriate motion.

DATED this 13th day of February, 2006.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge